

## Officer Delegated Decisions (August 2020)

Summary: This report details the decisions taken by Senior Officers under delegated powers from 25<sup>th</sup> July to 27<sup>th</sup> August 2020

Options considered: Not applicable.

Recommendations: **To receive and note the report and the register of officer decisions taken under delegated powers.**

Reasons for Recommendations: The Constitution: Chapter 6, Part 5, sections 5.1 and 5.2. details the exercise of any power or function of the Council where waiting until a meeting of Council or a committee would disadvantage the Council. The Constitution requires that any exercise of such powers should be reported to the next meeting of Council, Cabinet or working party (as appropriate)

### LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

Delegated decision forms – as completed by the relevant officer
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Cabinet Member(s) All	Ward(s) affected All
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## 1. Introduction

### 1.1 Officer delegated decision making process.

The officer delegated decision making process has been refreshed in light of the Covid-19 pandemic so that decisions that need to be made quickly can be. The reporting of decisions taken in this way has been strengthened, so it is clear that it is an officer decision that is being made, and the consultation requirements around those decisions. These decisions are available to the public through the website and are reported to Members through a weekly information bulletin. Key decisions are reported to Cabinet. The process for reporting and consulting on these decisions is contained in the Constitution at Chapter 6, 5.1 and 5.2 and the publication of these decisions is a legal requirement.

## **2. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020**

- 2.1 Following the outbreak of the Covid 19 pandemic, the Council had to realign its resources and the committee meeting cycle was reviewed and adapted to accommodate the business coming through. Committee meetings are being held remotely for the foreseeable future. All decisions taken under delegation from mid-March onwards are recorded on the Council's website: <https://www.north-norfolk.gov.uk/tasks/democratic-services/officer-delegated-decisions/>
- 2.2 Several of the key decisions that were taken under delegation in the early stages of the pandemic, have now been re-visited and reversed and this is reflected in the summary list of officer decisions (Appendix A). All of the decisions taken since March 2020 are available to view on the Council's website.

## **3. Consultation**

- 3.1 The Constitution requires that for the exercise of any power or function of the Council in routine matters falling within established policies and existing budgets, where waiting until a meeting of the Council, a committee or working party would disadvantage the Council, an elector or a visitor to the District, then the officer exercising the power must consult with the Leader, the relevant portfolio holder and if it relates to a particular part of the District, the local member.
- 3.2 For the exercise of any power or function of the Council, which in law is capable of delegation, in an emergency threatening life, limb or substantial damage to property within the District, the senior officer shall consult with the Leader or the Deputy Leader. The Covid 19 pandemic was considered to fall within this category.
- 3.3 Overview and Scrutiny Committee will receive the delegated decisions list at their meetings so they can fully understand why they were taken and assess the impact on the Council.

## **4. Financial and Resource Implications**

As many of the decisions taken by officers under delegated powers were key decisions there is a financial impact. These are outlined within the delegated decision form.

## **5. Legal Implications**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that all decisions, including those taken by officers, must state:

- The decision taken and the date it was made
- The reasons for the decision
- Details of options considered and rejected and the reasons why they were rejected

- Declarations of interest and any dispensations granted in respect of interests

Officers taking a decision under delegation are required to complete a form.

## **6. Conclusion and Recommendations**

All decisions, including key decisions, that have been taken by senior officers under delegated authority during the period 25<sup>th</sup> July to 27<sup>th</sup> August 2020 have been recorded and a summary is provided at Appendix A

### **Recommendation:**

**Cabinet is asked to receive and note the register of officer decisions taken under delegation.**